

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

CRICKET COMMUNICATIONS, INC., )  
Plaintiff, )  
v. ) Case No. 3:13-cv-556  
S WIRELESS LLC AND ABDUL R. ) Judge Trauger  
SIDDQUI, )  
Defendants. )

**PLAINTIFF'S MOTION TO COMPEL  
DEFENDANT'S COUNTERCLAIM TO ARBITRATION**

Without waiving any other defenses they might have, Plaintiff Cricket Communications, Inc. (“Cricket”) moves this Court to compel arbitration of the Counterclaim filed by Defendants/Counter-Plaintiffs’ S Wireless LLC (“S Wireless”) and Abdul R. Siddiqui (“Siddiqui”) (collectively “Defendants”) pursuant to the terms of the Premiere Dealer Agreement (“Dealer Agreement”) which mandates arbitration for any claims not for injunctive relief. Cricket is simultaneously submitting a Memorandum of Law in Support, and for the reasons set out in that Memorandum the Court should dismiss the Counterclaim for breach of contract filed by Defendants (contained in Docket No. 13) and refer that claim, and any other claims asserted by Defendants, to arbitration.

WHEREFORE, premises considered, Plaintiff Cricket Communications, Inc. respectfully requests this Court to compel final and binding arbitration of Defendants/Counter-Plaintiffs' claim and to dismiss the Counterclaim in its entirety.

Respectfully submitted,

*s/Russell B. Morgan*

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing on the following via the ECF filing system:

Mohammad Ali Syed  
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on this the 22nd day of July, 2013.

*s/Russell B. Morgan*  
Russell B. Morgan